

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-20018 AND MAP NUMBER 21426

WATER DIVISION 2-A

BACKGROUND

1. On May 14, 2024, Matt Lukaszewicz, General Manager of Loup Basin Reclamation District and Farwell Irrigation District (District), filed in the Department of Natural Resources (Department) application A-20018 for a Permit to Appropriate Water.
2. On June 20, 2024, John M. Kosmicki, Project Manager, filed map number 21426 showing land proposed to be irrigated under application A-20018.
3. Construction has been completed.

ORDER

IT IS HEREBY ORDERED that application A-20018 and map number 21426 are APPROVED subject to the following limitations and conditions:

1. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-20018 as depicted on map number 21426 which is made a part of this Order.

<u>Township 14 North, Range 11 West of the 6th P.M. in Howard County</u>	<u>Acres</u>
Section 18: NE $\frac{1}{4}$ NW $\frac{1}{4}$	30.3
Section 25: NE $\frac{1}{4}$ NW $\frac{1}{4}$	24.8
NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.2
Section 26: SW $\frac{1}{4}$ NE $\frac{1}{4}$	9.0
<u>Township 14 North, Range 10 West of the 6th P.M. in Howard County</u>	
Section 30: NW $\frac{1}{4}$ SW $\frac{1}{4}$	8.2
NE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>0.8</u>
TOTAL	83.3

2. Appropriation A-20018 has a priority date of May 14, 2024, and authorizes the appropriator the use of 83.3 acre-feet annually from Sherman Reservoir (storage appropriations A-4923A and A-4923B) via the headgate of the Sherman Main Canal located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 01, Township 15 North, Range 14 West of the 6th P.M. in Sherman County, as depicted on map number 21426.

3. Only the land shown on map number 21426 may be irrigated under appropriation A-20018 unless a change is authorized by subsequent Order of the Department.
4. If during the course of construction of the irrigation project it is determined that there is a difference in the number and/or location of acres from the approved map, an amended project map may be filed for an equal or lesser number of acres prior to the beneficial use investigation deadline. The Department, at its sole discretion, must determine that the change from the original map remains within the original project concept and does not violate any rules and/or statutes and will not harm another appropriator. The amended map may then be approved by Order of the Department for an equal or lesser number of acres of land or amount of water than originally granted.
5. The appropriator must comply with all relevant statutes. This includes, but is not limited to the following:
 - A. Receiving approval prior to taking an action that changes the location of the point of diversion, a transfer of the location of the place of use, a relinquishment of a portion of the appropriation, or the type of use, or the type of appropriation.
 - B. Notify the Department of any reassignment of relinquished portions of an appropriation.
 - C. Comply with all relevant notices and orders of the Department.
6. The appropriation is not considered perfected until water has been beneficially applied for the purpose stated in this Order. The water appropriated under A-20018 must be beneficially used by September 1, 2027.
7. After September 1, 2027, a field investigation will be conducted to determine the lands where water has been beneficially applied.
 - A. If the entire appropriation is found to have water beneficially applied, a Certificate of Perfected Appropriation will be issued by the Department for A-20018.
 - B. If a portion of the appropriation is found to have had water beneficially applied within the original project concept the Department may, at its discretion, modify the project map and land listing to represent the conditions found during the field investigation. The number of acres and diversion rate determined by the Department will not exceed what is granted by this Order. A Certificate of Perfected Appropriation specifying the final number of acres, location of acres and diversion rate will be issued by the Department for A-20018.
 - C. If no portion of the appropriation is found to have water beneficially applied, the Department will issue an Order of Cancellation in Full for A-20018.

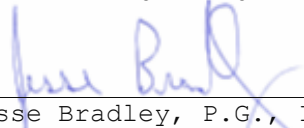
ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES

September 12, 2024



Jesse Bradley, P.G., Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21426 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 21426 were mailed to the following:

Matt Lukasiewicz, General Manager	Farwell Irrigation District
Loup Basin Reclamation District	P.O. Box 137
P.O. Box 137	Farwell, Nebraska 68838
Farwell, Nebraska 68838	